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they have the highest rate of executions, they continue to have the highest rates of murder, and the rates continue to increase. Now if he would read Justice Department statistics, he would see that. So he acknowledged that his notion about deterrence is intuitive, that means a feeling or a hunch. What the U.S. Supreme Court has ceased to say is anything about deterrence. The judges who have voted to uphold death sentences have pointed out that deterrence cannot be established. It is a question which cannot be answered. Now Senator Bruning tells us about how vicious first degree murderers are, some are. And some people are very vicious whose crime did not result in the victim dying, and that person may be more vicious than one whose victim died. But the one whose victim didn't die will not face the death penalty. What governors throughout this country have done, including governors in this state, is to staff their mansions with first degree murderers. Former President Carter took a first degree murderer from Georgia with him to be Amy's...

PRESIDENT MAURSTAD: One minute.

SENATOR CHAMBERS: ...nurse, because first degree murderers don't repeat that crime, contrary to what Senator Bruning is suggesting. They're not thieves, burglars and robbers who do that for a living. They commit that offense, they don't commit it anymore, and as a result they're model prisoners once they are locked up. But I'm not going to go into all aspects of that, I just wanted to mention some of the things I had to say in response to Senator Bruning. This bill is designed to generate a study of how this penalty is imposed in this state. And if you selectively and randomly apply a penalty, that is not comporting with the requirements of JUSTICE. And that's what those of us who favor this bill are interested in,...

PRESIDENT MAURSTAD: Time.

SENATOR CHAMBERS: ...the requirements of JUSTICE.

PRESIDENT MAURSTAD: Thank you, Senator Chambers. Senator Brashear, on the bracket motion.

SENATOR BRASHEAR: Mr. President, thank you. Colleagues, if we